

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 22010 of 2005

For Approval and Signature:

HONOURABLE THE ACTING CHIEF JUSTICE Y.R.MEENA

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of
the judgment ?

Whether this case involves a substantial question of
4 law as to the interpretation of the constitution of
India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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VARUN SILK MILLS (P)LTD. & 1 - Petitioner(s)

Versus

UNION OF INDIA THR' SECRETARY & 2 - Respondent(s)

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Appearance :

MR PARESH M DAVE for Petitioner(s) : 1 - 2.

MR YOGESH S LAKHANI for Respondent(s) : 1,

MR JITENDRA MALKAN for Respondent(s) : 1,

NOTICE SERVED BY DS for Respondent(s) : 2 - 3.

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**CORAM : HONOURABLE THE ACTING CHIEF JUSTICE
Y.R.MEENA**

and

HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 21/06/2006

ORAL JUDGMENT

(Per : HONOURABLE THE ACTING CHIEF JUSTICE Y.R.MEENA)

Rule.

Learned Counsel for the respondents waives service. With consent of the learned Advocates appearing on behalf of the respective parties the matter is taken up for final hearing and disposal.

Learned Counsel for the petitioner submits that out of Rs. 39 lacs dues Rs. 32 lacs dues have been paid i. e. Rs. 20 lacs before filing this petition and Rs. 12 lacs in pursuance of the direction of this Court. These facts are not controverted by Mr.Malkan, learned Counsel for Government of India.

Considering the submissions and fact that out of Rs.39 lacs, Rs.32 lacs dues are already paid by the petitioner, we deem it proper that now the Appeal pending before the Tribunal be decided on merits. Balance predeposit amount is waived. The petition stands allowed accordingly.

Rule made absolute.

Sd/-

(Y.R.MEENA, Actg. C.J.)

Sd/-

(D.A.MEHTA, J.)

m.m.bhatt